IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 21001 of 2004

Between:

1 L.Mallaiah, S/o Laxminarasaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
2 K.Rajender, S/o Venkata Narsaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
3 P.Radha Krishna, S/o Abbaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
4 B.Lachapathi, S/o Saravari,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
5 B.Pool Singh, S/o Hanjara,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
6 R.Muthaiah, S/o Kanakaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
7 K.Somaiah, S/o Duthaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
8 D.Raja Mallu, S/o Mallaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
9 A.Sammaiah, S/o Sreeramulu,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District
10 D.Venkateshwarulu, S/o Muthaiah,
R/o H.No.4-1-37, Reddy Bazar, Mahabubabad, Warangal District

..... PETITIONERS

AND

1 The Regional Manager, APSRTC, Warangal Region,

Warangal District.
2 The Depot Manager, APSRTC Mahabubabad Bus Depot,

Warangal District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not giving the Special Grade/ Stagnation Increment to the petitioners with effect from their completion of 12 years of service in A.P.S.R.T.C. in total (All Regions) and counting the present regions services of 12 years for 12 years Stagnation Increment / Special Grade as bad arbitrary, illegal, unjust and contrary to the Circulars and contrary to the Judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years Stagnation Increment /Special Grade to the petitioners on their completion of 12 years of service in the all the regions of the Corporation.

Counsel for the Petitioners: MR.G.RAVI MOHAN

Counsel for the Respondents:

The Court made the following :

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ORDER:

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Heard both sides and at their request the writ petition is taken up for disposal.

The grievance of the writ petitioners is that the respondents-Corporation is not giving the Special Grade/Stagnation increment to them with effect from the date of completion of 12 years of service in the Corporation.

The purport of the decision rendered by this Court in W.A.No.1301 of 2000, dated 29-10-2002, is that the entire service of the petitioners in the same cadre in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondents-Corporation, more particularly, circular No.P.D.113/1989, dated 03-06-1989, for grant of stagnation increments. Therefore, it is for the respondents-Corporation to decide whether the petitioners completed 12 years of continuous service in the same cadre irrespective of transfer to other Regions and are entitled for the stagnation increments in pursuance of the aforesaid circular order. The respondents-Corporation is directed to give the Special Grade/Stagnation increment as per the rules taking into account the petitioners' total service of 12 years in the Corporation, in the same cadre irrespective of transfer to other regions.

The writ petition is accordingly disposed of. In the circumstances without costs.

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17-11-2004

vs

To

1 The Regional Manager, APSRTC, Warangal Region,

Warangal District.
2 The Depot Manager, APSRTC Mahabubabad Bus Depot,

Warangal District

3 2CD copies